

Attorney Docket No: 10011434-1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Tsang, *et al.* Examiner: John S. Maples  
Serial No.: 10/059,693 Art Unit: 1745  
Filing Date: January 28, 2002  
Title: A CO-CATALYST PROTON EXCHANGE MEMBRANE FUEL CELL  
UTILIZING BOROHYDRIDE FUELS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being sent via facsimile transmission to the U.S. Patent and Trademark Office as 571-273-1051 on December 6, 2004.

  
Susan Dinsmore

Sir:

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Applicant has received the Notice of Non-Compliant Amendment mailed October 1, 2004, for the Response to Final Office Action and RCE filed August 16, 2004. Applicant apologizes for the error in the previous Response, and submits this corrected version.

This Response to Office Action is filed in response to the Final Office Action mailed May 19, 2003, rejecting claims 1-30. The cited references are U.S. Patent Nos. 3,666,565 and 3,892,592 to Fukuda, *et al.* (hereinafter, "Fukuda I" and "Fukuda II," respectively, or collectively as "Fukuda"), and 5,804,329 to Amendola (hereinafter, "Amendola"). The following amendments and remarks remove all grounds for rejection of the application, thereby placing it in condition for allowance.

A Listing of Claims (unamended) begins on page 2 of this paper.

Remarks begin on page 6 of this paper.

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**Fax Transmittal Sheet**

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FROM	Elizabeth E. Nugent, Ph.D.	NUMBER OF PAGES	9
DATE	December 6, 2004	CLIENT NUMBER	2002235-0042
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**COMMENTS** RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
USSN 10/059,693

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